

UNITED STATES DISTRICT COURT

Southern

District of

New York

JOSEPH S. GELMIS, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY
SITUATED,

V.
EARL W. COLE, III, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, MARK K. JOSEPH,
MELANIE M. LUNDQUIST, ET AL.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CV 00980

TO: (Name and address of Defendant)

Municipal Mortgage & Equity, LLC
99 Park Ave., Ste. 2010
New York, NY 10016

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Laurence M. Rosen
The Rosen Law Firm
350 Fifth Ave., Ste. 5508
New York, NY 10118

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

DATE

JAN 30 2008

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>2/19/08</u>	
NAME OF SERVER (PRINT) <u>Nathan Huchell</u>	TITLE <u>Paralegal - The Rosen Law Firm</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>99 Park Avenue, Suite 2010, New York, NY 10016. Service accepted by C.W. Early, Vice President.</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL <u>N/A</u>	SERVICES <u>N/A</u>	TOTAL <u>\$0.00</u>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>2/19/08</u> <u>Nathan Huchell</u> <small>Date</small> <small>Signature of Server</small></p> <p><u>350 Fifth Ave., Suite 5508, New York, NY, 10118</u> <small>Address of Server</small></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.